

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:07CR128-P-B

TERRANCE CLARK,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's motion to continue trial [13]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for September 24, 2007. Defense counsel requests a continuance in order to gain additional time to complete discovery, engage in plea negotiations, and prepare for trial.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from September 24, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendants' counsel more time to adequately prepare for his clients' defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant's Motion for Continuance [13] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, October 29, 2007 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;
- (3) The delay from September 24, 2007 to October 29, 2007 is excluded from Speedy Trial

Act considerations as set out above;

(4) The deadline for filing pretrial motions is October 8, 2007; and

(5) The deadline for submitting a plea agreement is October 15, 2007.

SO ORDERED this the 6th day of September, A.D., 2007.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE